

9400  
JCS

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CONSTANTINE N. POLITES, pro se

Plaintiff

vs.

CITY OF PHILADELPHIA

Defendants

COURT OF COMMON PLEAS

PHILADELPHIA COUNTY

CIVIL ACTION

No. No. 19040419

19cv4345

**FILED**

**SEP 20 2019**

**NOTICE OF REMOVAL**

KATE BARKMAN, Clerk  
By \_\_\_\_\_ Dep. Clerk

**To the Honorable Judges of the United States District Court for the Eastern District of Pennsylvania.**

Pursuant to 28 U.S.C. § 1441, City of Philadelphia (hereinafter "petitioners") through their counsel, Meghan E. Claiborne, Deputy City Solicitor, respectfully petition for the removal of this action to the United States District Court for the Eastern District of Pennsylvania. In support thereof, defendants state the following:

1. In September 2019, plaintiff initiated this action by a Complaint in the Court of Common Pleas in Philadelphia, April Term, 2019; No. 4196. (Exhibit A - Complaint).

2. On September 13, 2019 said Complaint was served on Petitioners at 1515 Arch Street, 14th Floor, Philadelphia, Pennsylvania.

3. Plaintiffs allege that in about early spring 2019 he sustained damages when his civil rights were violated by the defendants. (Exhibit A ).

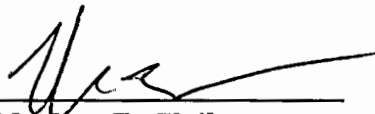
4. This action may be removed to this Court pursuant to 28 U.S.C. § 1441 since Plaintiffs Complaint contains allegations of violations of the plaintiff's Federal Civil Rights and seeks relief under 42 U.S.C. § 1983. (Exhibit A)

**Wherefore,** petitioners, City of Philadelphia, respectfully request that the captioned

Complaint be removed to the United States District Court for the Eastern District of Pennsylvania.

Respectfully submitted,

Meghan E. Claiborne  
Deputy City Solicitor

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**Meghan E. Claiborne**  
**Deputy City Solicitor -**  
**Attorney I.D. No. 315918**  
1515 Arch Street, 14th Floor  
Philadelphia, PA 19102  
215-683-5447

Date: 9/20/11

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

CONSTANTINE N. POLITES, pro se	:	COURT OF COMMON PLEAS
	:	
Plaintiff	:	
	:	PHILADELPHIA COUNTY
	:	
vs.	:	
	:	
CITY OF PHILADELPHIA	:	CIVIL ACTION
	:	
Defendants	:	No. No. 19040419

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**NOTICE OF FILING OF REMOVAL**

TO: Constantine N. Polites  
801 Yale Ave., #1023  
Swarthmore, PA 19018

PLEASE TAKE NOTICE THAT on September 18, 2019 defendant, City of Philadelphia, filed, in the office of the Clerk of the United States District Court for the Eastern District of Pennsylvania a verified Notice of Removal.

A copy of this Notice of Removal is attached hereto and is also being filed with the Clerk of the Court of Common Pleas of Philadelphia County, pursuant to Title 28, United States Code, Section 1446(e).

  
\_\_\_\_\_  
**Meghan E. Claiborne**  
**Deputy City Solicitor**  
**Attorney I.D. No. 315918**  
1515 Arch Street, 14th Floor  
Philadelphia, PA 19102  
215-683-5447

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

CONSTANTINE N. POLITES, pro se	:	COURT OF COMMON PLEAS
	:	
Plaintiff	:	
	:	PHILADELPHIA COUNTY
	:	
vs.	:	
	:	
CITY OF PHILADELPHIA	:	CIVIL ACTION
	:	
Defendants	:	No. No. 19040419

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**CERTIFICATE OF SERVICE**

I, Meghan E. Claiborne, Deputy City Solicitor, do hereby certify that a true and correct copy of the attached Notice of Removal has been served upon the following by First Class Mail, postpaid, on the date indicated below:

TO: Constantine N. Polites  
801 Yale Ave., #1023  
Swarthmore, PA 19018

  
Meghan E. Claiborne  
Deputy City Solicitor  
Attorney I.D. No. 315918  
1515 Arch Street, 14th Floor  
Philadelphia, PA 19102  
215-683-5447

Date: 9/20/19

Exhibit "A"

**In the Court of Common Pleas of Philadelphia County  
First Judicial District of Pennsylvania**

Filed and Accepted by the  
Prothonotary  
13 SEP 2012 12:35 pm  
M. RUSSO  
PROTHONOTARY  
JUDICIAL DISTRICT OF PENNSYLVANIA

CONSTANTINE N. POLITES, pro se

Plaintiff,

vs.

CITY OF PHILADELPHIA

Defendants,

CIVIL ACTION

No. No. 190404196

**NOTICE TO DEFEND**

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint of for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

*You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.*

**Philadelphia Bar Association  
Lawyer Referral  
and Information Service  
1101 Market St., 11th Floor  
Philadelphia, Pennsylvania 19107  
(215) 238-6333**

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta ascantar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

*Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por telefono a la oficina cuya direccion se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.*

**Asociacion De Licenciados  
De Filadelfia  
Servicio De Referencia E  
Informacion Legal  
1101 Market St., 11th Piso  
Filadelfia, Pennsylvania 19107  
(215) 238-6333**

Case ID: 190404196

**In the Court of Common Pleas of Philadelphia County  
First Judicial District of Pennsylvania**

CONSTANTINE N. POLITES, pro se

Plaintiff,

vs.

CITY OF PHILADELPHIA

Defendants,

CIVIL ACTION

No. 190404196

**PLAINTIFF'S SECOND AMENDED COMPLAINT**

Plaintiff is filing this amended complaint pursuant to Order dated 20 August 2019, docketed 27 August 2019 Exhibit A.

1. In early spring 2019 plaintiff visited defendant's offices in the Municipal Services Building to obtain a building permit in order to correct certain violations cited by Licenses and Inspections.

2. Defendant denied plaintiff's request for a building permit citing plaintiff's lack of a Contractor's License.

3. Defendant excludes, from the Contractor's License requirement, owners who occupy one and two unit properties as well as those who intend to occupy their property (undefined) after work is finished Exhibit B.

4. By making the above exclusions, defendant is discriminating against two other groups of owners: the non resident owners of residential and commercial properties and the resident owners of commercial properties.

5. Plaintiff is a non resident owner of a commercial property 617 So.48th St, Phila.
6. Plaintiff request that court eliminate this discrimination by nullifying the imposed Contractor's License as it applies to the above affected groups who wish to do work on their properties.

## **RELIEF REQUESTED**

Plaintiff requests the Court to exclude plaintiff and all resident and non resident building owners of residential and commercial properties from defendant's Contractor's License to obtain a building permit to perform work on his/ their building.

Respectfully submitted,

/s/ Constantine N. Polites  
13 September 2019



**In the Court of Common Pleas of Philadelphia County  
First Judicial District of Pennsylvania**

CONSTANTINE N. POLITES, pro se

Plaintiff,

vs.

CITY OF PHILADELPHIA

Defendants,

CIVIL ACTION

No. 190404196

**ORDER**

Plaintiff has stated the specific cause of action he is attempting to bring and has satisfied the requirement for legal sufficiency and sufficient specificity.

\_\_\_\_\_  
J.

**In the Court of Common Pleas of Philadelphia County  
First Judicial District of Pennsylvania**

CONSTANTINE N. POLITES, pro se

Plaintiff,

vs.

CITY OF PHILADELPHIA

Defendants,

CIVIL ACTION

No. 190404196

**CERTIFICATE OF SERVICE**

I, Constantine N. Polites, do hereby certify that a true and correct copy of the foregoing Complaint has been served upon the defendant City of Philadelphia by the Court of Common Pleas by electronic means on this date.

/s/ Constantine N. Polites

13 September 2019

Philadelphia Law Dept.  
1515 Arch Street, 14 th Floor  
Philadelphia, PA 19102

Constantine N. Polites  
801 Yale Ave., #1023  
Swarthmore, PA 19018  
610 543 4336  
polites@scaffolding.com

# Exhibit A

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
TRIAL DIVISION – CIVIL

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CONSTANTINE POLITES	:	APRIL TERM, 2019
	:	
v.	:	NO. 4196
	:	
CITY OF PHILADELPHIA	:	Control No. 19073024

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**ORDER**

AND NOW, this 20<sup>th</sup> day of August 2019,  
upon consideration of Defendant's Preliminary Objections to Plaintiff's Amended  
Complaint, and the response thereto, it is hereby **ORDERED** and **DECREED** as  
follows:

- Defendant's Preliminary Objections arguing legal insufficiency and insufficient specificity are **SUSTAINED WITHOUT PREJUDICE** and Plaintiff is granted leave to file a Second Amended Complaint;<sup>1</sup> and
- Defendant's remaining Preliminary Objection arguing failure to exercise or exhaust a statutory remedy is **OVERRULED**.

Plaintiff is granted leave of twenty (20) days from the date of docketing of this  
Order to file a Second Amended Complaint.

BY THE COURT:

DOCKETED  
AUG 27 2019  
JUDICIAL RECORDS

Polites Vs City Of Phil-ORDER



19040419600037

*h*

J.

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<sup>1</sup> Plaintiff has failed to state the specific cause of action he is attempting to bring.

<https://business.phila.gov/licenses-and-inspections-building-permits>

EXHIBIT B

**/Building Permits**

**Contractor Requirements All work must be performed by a licensed Philadelphia Contractor with the following exceptions**

- Work may be performed by an owner residing on the premises of an existing one or two family dwelling.
- Work may be performed on an existing one or two family dwelling by a registered PA Home Improvement Contractor maintaining a Philadelphia Commercial Activity License.

**In the Court of Common Pleas of Philadelphia County  
First Judicial District of Pennsylvania**

CONSTANTINE N. POLITES, pro se

Plaintiff,

vs.

CITY OF PHILADELPHIA

Defendants,

CIVIL ACTION

No. 190404196

— — — — —

**VERIFICATION**

Plaintiff Constantine N. Polites states that foregoing facts are true to the best of his knowledge  
and belief.

/s/Constantine N. Polites  
13 September 2019

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>CONSTANTINE N. POLITES, pro se</b>	:	<b>COURT OF COMMON PLEAS</b>
	:	
<b>Plaintiff</b>	:	
	:	
	:	<b>PHILADELPHIA COUNTY</b>
	:	
<b>vs.</b>	:	
	:	
<b>CITY OF PHILADELPHIA</b>	:	<b>CIVIL ACTION</b>
	:	
<b>Defendants</b>	:	<b>No. No. 19040419</b>

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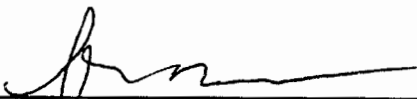
**NOTICE OF FILING OF NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. § 1446(d), Defendant, City of Philadelphia (collectively, the "Removing Defendant"), by and through undersigned counsel, hereby give notice that they have filed in the United States District court for the Eastern District of Pennsylvania the attached Notice of Removal (without exhibits) of the above-captioned action.

Pursuant to 28 U.S.C. § 1446, the filing of this Notice effects the removal of this action to the federal court, and this Court is directed to "proceed no further unless and until the case is remanded." 28 U.S.C. § 1446(d).

Respectfully submitted,

Date: September 18, 2019

  
\_\_\_\_\_  
Meghan E. Claiborne, Esquire  
Deputy City Solicitor

## CIVIL COVER SHEET

19CV4345

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM)

## I. (a) PLAINTIFFS

Constantine N. Polites, Pro Se

(b) County of Residence of First Listed Plaintiff Philadelphia  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Constantine N. Polites, Pro Se  
801 Yale Ave., #1023 Swarthmore, PA 19018

## DEFENDANTS

City Of Philadelphia  
One Parkway Building - 14th FloorCounty of Residence of First Listed Defendant Philadelphia  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Meghan E. Claiborne, Esquire  
1515 Arch Street - 14th Floor, Philadelphia, PA 19102

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☒ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |                                         | PTF                                   | DEF                        |                                                               | PTF                        | DEF                        |
|-----------------------------------------|---------------------------------------|----------------------------|---------------------------------------------------------------|----------------------------|----------------------------|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3 | Foreign Nation                                                | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	LABOR	IMMIGRATION	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609		

## V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity)  
42 U.S.C. Section 1983Brief description of cause:  
Equal Rights Protection

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint.

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE

DOCKET NUMBER

SEP 20 2019

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

SCJ  
UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

19cv4345

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: Constantine N. Polites, 801 Yale Ave., #1023, Swarthmore, PA 19018  
Address of Defendant: City of Philadelphia Law Department, 1515 Arch Street, 14th Floor, Philadelphia, PA  
Place of Accident, Incident or Transaction: Philadelphia, PA

**RELATED CASE, IF ANY:**

Case Number: \_\_\_\_\_ Judge: \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- |   |                                                                                                                                                                                     |                              |                                        |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------|
| 1 | Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?                                        | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2 | Does this case involve the same issue of fact or growout of the same transaction as a prior suit pending or within one year previously terminated action in this court?             | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3 | Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4 | Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?                                                | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE 9/18/2019

[Signature]  
Attorney-at-Law / Pro Se Plaintiff

315918

Attorney ID # (if applicable)

**CIVIL: (Place a ✓ in one category only)**

**A. Federal Question Cases:**

- |                                     |                                                                 |
|-------------------------------------|-----------------------------------------------------------------|
| <input type="checkbox"/>            | 1. Indemnity Contract, Marine Contract, and All Other Contracts |
| <input type="checkbox"/>            | 2. FELA                                                         |
| <input type="checkbox"/>            | 3. Jones Act-Personal Injury                                    |
| <input type="checkbox"/>            | 4. Antitrust                                                    |
| <input type="checkbox"/>            | 5. Patent                                                       |
| <input type="checkbox"/>            | 6. Labor-Management Relations                                   |
| <input checked="" type="checkbox"/> | 7. Civil Rights                                                 |
| <input type="checkbox"/>            | 8. Habeas Corpus                                                |
| <input type="checkbox"/>            | 9. Securities Act(s) Cases                                      |
| <input type="checkbox"/>            | 10. Social Security Review Cases                                |
| <input type="checkbox"/>            | 11. All other Federal Question Cases<br>(Please specify) _____  |

**B. Diversity Jurisdiction Cases:**

- |                          |                                                        |
|--------------------------|--------------------------------------------------------|
| <input type="checkbox"/> | 1. Insurance Contract and Other Contracts              |
| <input type="checkbox"/> | 2. Airplane Personal Injury                            |
| <input type="checkbox"/> | 3. Assault, Defamation                                 |
| <input type="checkbox"/> | 4. Marine Personal Injury                              |
| <input type="checkbox"/> | 5. Motor Vehicle Personal Injury                       |
| <input type="checkbox"/> | 6. Other Personal Injury (Please specify) _____        |
| <input type="checkbox"/> | 7. Products Liability                                  |
| <input type="checkbox"/> | 8. Products Liability - Asbestos                       |
| <input type="checkbox"/> | 9. All other Diversity Cases<br>(Please specify) _____ |

**ARBITRATION CERTIFICATION**

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, \_\_\_\_\_, counsel of record or pro se plaintiff, do hereby certify:

- |                          |                                                                                                                                                                                                               |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs. |
| <input type="checkbox"/> | Relief other than monetary damages is sought.                                                                                                                                                                 |

DATE: \_\_\_\_\_

[Signature]  
Attorney-at-Law / Pro Se Plaintiff

SEP 20 2019

Attorney ID # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.



JCS

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CONSTANTINE N. POLITES, pro se : COURT OF COMMON PLEAS  
:   
Plaintiff :   
: PHILADELPHIA COUNTY  
:   
vs. :   
:   
CITY OF PHILADELPHIA : CIVIL ACTION  
:   
: No. No. 19040419  
Defendants :   
:

19cv 4345

CERTIFICATE OF SERVICE

CASE MANAGEMENT TRACK DESIGNATION FORM

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus -- Cases brought under 28 U.S.C. §2241 through § 2255. ( )
- (b) Social Security -- Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration -- Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )
- (d) Asbestos -- Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management -- Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management -- Cases that do not fall into any one of the other tracks. (X)

9/20/19  
Date

  
Meghan E. Claiborne, Esq.

Defendants  
Attorney for

(215) 683-5447

(215) 683-5397

Meghan.Claiborne@phila.gov

Telephone

FAX Number

E-mail Address

SEP 20 2019